

No. 5:20-CV-00589-BR

Defendant.

)
)
)
)
)
)
)
)

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, respectfully moves for a 30-day extension of time, up to and including December 21, 2020, in which renew Defendant's Motion to Dismiss. In support of this Motion, the United States submits the following:

1. The instant claim was originally filed in the United States District Court for the District of Columbia. D.E. 1. In the D.C. district court, Defendant filed a motion to dismiss or transfer venue (to the Eastern District of North Carolina); and on September 16, 2020, the court granted the motion with respect to the request to transfer venue to this District. D.E. 5. On November 6, 2020, the case was transferred to this Court (D.E. 15); and on November 9, 2020, this Court issued an order stating: “Within 10 days, defendant may renew its motion to dismiss” (D.E. 17).

2. The undersigned Assistant United States Attorney (“AUSA”) shows that after evaluating this case, counsel has determined that additional time is necessary to review the case, confer with Defendant, and renew the Motion to Dismiss.

3. The undersigned contacted opposing counsel to learn Plaintiff's position on this request and learned that Plaintiff consents to the request.

4. This request is not made for the purposes of delay, but to ensure that Defendant has adequate time to provide the renewed motion to dismiss.

THEREFORE, the United States requests a 30-day extension of time, up to and including December 21, 2020, in which renew Defendant's Motion to Dismiss.

Respectfully submitted, this 19th day of November 2020.

ROBERT J. HIGDON, JR.
United States Attorney

By: /s/ Joshua L. Rogers
JOSHUA L. ROGERS
Assistant United States Attorney
Civil Division
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Telephone: (919) 856-4293
Email: Joshua.Rogers4@usdoj.gov
Mississippi Bar # 101468
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have this 19th day of November 2020, served a copy of the foregoing upon the below-listed party by electronically filing the foregoing with the Court on this date using the CM/ECF system or placing a copy in the United States Mail to the following:

Timothy Lawrence Coffield
Email: tc@coffieldlaw.com

/s/ Joshua L. Rogers
JOSHUA L. ROGERS
Assistant United States Attorney
Civil Division
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Telephone: (919) 856-4293
Email: Joshua.Rogers4@usdoj.gov
Mississippi Bar # 101468
Attorney for Defendant